IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: PHYSIOTHERAPY HOLDINGS, INC., et al.

HURON CONSULTING SERVICES, LLC,)	
)	
Appellant,)	
)	
v.)	Civil Action No. 14-693-LPS
)	
PHYSIOTHERAPY HOLDINGS, INC.,)	Bankruptcy Case No. 13-12965
)	AP No. 14-17
Appellee.)	

RECOMMENDATION

At Wilmington this **20th** day of **November, 2014.**

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, a teleconference was held on July 23, 2014 for an initial review and discussion with counsel to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of that teleconference, mediation occurred on September 18, 2014;

WHEREAS, no resolution of this matter occurred at the mediation, nor in further mediation efforts by the undersigned United States Magistrate Judge, and further mediation at this stage would not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process.

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. The parties have advised they

are in agreement with this Recommendation and that there will be no objections filed to it

pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1.

The parties request that a briefing schedule be entered by the Court such that Appellant's

opening brief will be due 21 days after entry of the Scheduling Order, that Appellees' response

will be due 35 days after filing of Appellant's brief, and Appellants' reply will be due 21 days

after filing of Appellees' brief.

Local counsel are obligated to inform out-of-state counsel of this Order.

_____
Christopher J. Burke
UNITED STATES MAGISTRATE JUDGE